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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/722,181	11/24/2003	Tad Dennis Brockway	MS1-1787US	7006

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EXAMINER

LESNIEWSKI, VICTOR D

ART UNIT PAPER NUMBER

2152

DATE MAILED: 12/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/722,181

Applicant(s)

BROCKWAY ET AL.

Examiner

Victor Lesniewski

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>8/11/2006 and 10/30/2006</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The amendment filed 12/19/2005 has been placed of record in the file.
2. Claims 1 and 5 have been amended.
3. Claims 1-24 are now pending.
4. The applicant's arguments with respect to claims 1-24 have been fully considered but they are not persuasive. A detailed discussion is set forth below.

Information Disclosure Statement

5. The IDS filed 8/11/2006 and the IDS filed 10/30/2006 have been considered.

Response to Amendment

6. Claims 1 and 5 have been amended to make minor adjustments to the claims. The amendment does not prove a change in scope to the limitations of the claims.

Claim Rejections - 35 USC § 102

7. Claims 1-24 remain rejected under 35 U.S.C. 102(e) as being anticipated by Dal Canto et al. (U.S. Patent Application Publication Number 2003/0217166), hereinafter referred to as Dal Canto, as presented in the previous action dated 8/17/2005.

Response to Arguments

8. In the remarks, the applicant has argued:

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- <Argument 1>

Dal Canto does not disclose the features of claim 1 because he does not disclose “sending a remote application discovery request to a Web service” or “receiving a discovery response” as recited in claim 1.

- <Argument 2>

Dal Canto does not disclose the features of claim 2 because he does not disclose “wherein the sending and receiving are independent of a Virtual Private Network connection between the remote client and the Intranet” as recited in claim 2.

- <Argument 3>

Dal Canto does not disclose the features of claim 4 because he does not disclose “the multiple information sources comprising one or more of a directory service, a Systems Management Server (SMS), and an office computer associated with the user” as recited in claim 4.

- <Argument 4>

Dal Canto does not disclose the features of claim 5 because he does not disclose “each shortcut being selectable by the user to invoke a terminal service” as recited in claim 5.

9. In response to argument 1, Dal Canto does disclose the sending and receiving steps as recited in claim 1. Dal Canto clearly teaches a user requesting services from a service center and receiving a reply that contains a “meta-desktop” which allows for a selection from the discovered services. See the previously cited paragraphs 40, 41, 43, and 47-49. See also, figure 4, item 2000 (request) and items 2020 and 2030 (response). The applicant’s arguments concerning Dal Canto’s network operations center (or NOC) and Dal Canto’s authentication techniques are not

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persuasive as Dal Canto still teaches the claim limitations with these features in addition. As the applicant admits on page 14 of the remarks, “the NOC initiates the establishment of a session between a particular service center and the client device.”

10. Further in support of argument 1, the applicant states that “For a user of a client device to engage in ‘terminal server (TS) based access by a user of the remote client computer’, terminal server support applications and/or hardware will necessarily be present on the ‘remote client computer’.” The applicant states that these aspects are “necessarily present”, yet they are not a limitation of the claims. The applicant is reminded that although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

11. The applicant goes on to state that “Dal Canto purposefully designed the client device to be completely independent of ‘terminal server (TS) based access’, as claim 1 recites.” However, this is not persuasive as the “terminal server” of the claims does not distinguish over the servers of Dal Canto’s system. See figure 1, items 330. The “terminal server” of the claims has not been further defined in the claims so as to show how it may be different from Dal Canto’s servers.

12. In response to argument 2, Dal Canto does disclose the sending and receiving as independent of a Virtual Private Network (or VPN) connection as recited in claim 2. Dal Canto states the issues with normal VPN connections and has designed a system that overcomes these problems. See the previously cited paragraphs 10 and 14. Further, in response to the applicant’s statement that Dal Canto discloses an embodiment including a VPN at paragraph 35, it is noted that this is only one embodiment and that Dal Canto states the use of any of “various public

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and/or proprietary remote interactive protocols to ensure user authentication and privacy.” See paragraph 35.

13. In response to argument 3, Dal Canto does disclose the information sources as recited in claim 4. Dal Canto’s service centers 300 support various services as disclosed in the previously cited paragraph 40. Thus Dal Canto’s service centers are considered to meet the limitation of a directory service or a systems management server. These limitations have not been further defined in the claim so as to distinguish over the functionality of Dal Canto’s service centers. Further, it is noted that the claim recites “one or more” of the listed sources and thus the reference need only disclose one to meet the limitation.

14. In response to argument 4, Dal Canto does disclose the shortcuts as recited in claim 5. Dal Canto’s system returns a “meta-desktop” which allows for user selection from the discovered services. When a user selects a service, that service is invoked. See the previously cited paragraphs 49 and 51. See also figure 4, items 2040 and 2050. Concerning the applicant’s statement that “there is no software support for terminal services at Dal Canto’s client device,” it is noted that software support at the client device is not a limitation of the claims. The applicant is reminded that although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

15. In addition, the applicant has argued that claims rejected under 35 U.S.C. 102, but not explicitly discussed, are allowable based on the above arguments. Thus, claims disclosing similar limitations to the discussed claims and related dependent claims remain rejected under the same reasoning as presented above.

Conclusion

16. **THIS ACTION IS MADE FINAL.** The applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor Lesniewski whose telephone number is 571-272-3987. The examiner can normally be reached on Monday through Thursday.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Victor Lesniewski
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Group Art Unit 2152



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